

<b>Facility Name:</b> Middlesex Therapeutic Community Residence (MTCR)	
<b>Policy:</b> Resident's Rights	
<b>Replaces Version Dated:</b> 7/24/13	<b>Effective Date:</b> 1/3/2014

**A     Resident Rights:**

**You have the right:**

- 1) To considerate and respectful care at all times, free from discrimination regardless of sex, age, race, religion, national origin, language, physical or mental disability, sexual orientation, gender (including, if the resident is a woman, pregnancy), gender identity or ability to pay.
- 2) To retain personal clothing and possessions as space permits, unless to do so would infringe on the rights of others or would create a fire or safety hazard.
- 3) To have Advance Directives; such as a Living Will or Durable Power of Attorney for Health Care, and to have the staff comply with these directives.
- 4) To have an attending physician who is responsible for coordinating care and explaining the diagnosis, possible treatment, expected outcomes, and continuing health care needs.
- 5) To take part in the development and implementation of the plan of care, and right to request treatment, as long as said treatment is deemed appropriate by the treatment team.
- 6) To make informed decisions about care based on complete and current information regarding diagnosis, treatment and the course of said treatment.
- 7) To receive information needed to give informed consent prior to the start of any procedure or treatment which include risks and alternatives, except in emergencies.
- 8) To access information in your medical records, request amendments unless prohibited by the physician pursuant to the facility's procedures, and to have the information explained, except when contradicted by law.

- 9) To refuse treatment to the extent permitted by law and to be informed of the medical consequences.
- 10) To privacy concerning medical treatment and personal privacy.
- 11) To have all communications and records pertaining to care and treatment confidential. However, this information and related records may be used without your permission in any court hearings concerning your involuntary treatment. For additional information, please refer to the Notice of Privacy Rights.
- 12) To know that the facility will respond to your questions within a reasonable timeframe, and to have the information explained to you, except when contradicted by law.
- 13) To know the identity and professional status of individuals providing care, and to know which practitioner is primarily responsible for your care.
- 14) To know that the facility rules and regulations apply to your conduct.
- 15) To have an interpreter, if a language barrier or hearing impairment presents a continuing problem to understanding services being provided.
- 16) To file a grievance verbally or in writing or to have a personal representative do it for you.
- 17) To have a family member, or another person of your choice, notified of your admission to a hospital. You also have the choice to not have anyone notified of your admission. You must inform the facility if you do not want anyone notified.
- 18) To receive services in a safe setting, and to be free from abuse and harassment.
- 19) To be free of seclusion or restraint.
- 20) To refuse medications and specific treatments, except in an emergency, or when administered under a judicial hearing. Psychoactive drugs shall not be administered involuntarily.

- 21) To a judicial review of your placement in the facility, and to be represented at the hearing by a court- appointed lawyer, free of charge. The lawyer or legal representative shall have reasonable access to you and the facility.
- 22) To consult the opinion of a consultant at your expense.
- 23) To vote.
- 24) To sell or otherwise dispose of property, and to carry out business dealings.
- 25) To refuse to participate in any research project or clinical training program.
- 26) To receive an itemized, detailed, and understandable explanation of the charges incurred during treatment, regardless of the source of payment.
- 27) To know what residence rules and regulations apply to your conduct.
- 28) To exercise any rights without reprisal.
- 29) To receive professional assessment of pain, and receive professional pain management.
- 30) To be informed in writing of the availability of hospice services and the eligibility criteria for those services. Whenever possible, agents, guardians, reciprocal beneficiaries, or immediate family have the right to stay with terminally ill residents 24-hours a day.
- 31) To expect, that within its capacity, the facility shall respond reasonably to your request for services. The right shall include, if physically possible, a transfer to another room.
- 32) When medically possible, to be transferred to another facility only after receiving complete information and explanation concerning the needs for and alternatives to such a transfer. The institution to which you are transferred must first have accepted you for transfer.

- 33) To expect reasonable continuity of care, and to be informed of any continuing health care requirements, following discharge.
- 34) To know the maximum resident census and the full time equivalent number of registered nurses and psychiatric technicians who provide direct care for each shift.
- 35) Not to be required to perform work for the facility. If you choose to perform specific tasks for the facility, you shall receive reasonable compensation that shall be specified in a written agreement with you.
- 36) To associate, communicate, and meet privately with people of your own choice, unless such access has been restricted by a Court or the Commissioner of Mental Health, or his or her designee. Visiting hours are from 8:00 am to 8:00 pm. Visitors under 18-years of age will require prior approval of the Program Director, in addition to a Physician's Order.
- 37) To send and receive personal mail, unopened, unless such right has been restricted by a Court or the Commissioner of Mental Health or his or her designee. The opening of mail shall be under the supervision of staff.
- 38) To have reasonable access to a telephone for private conversation unless such access has been restricted by a Court or the Commissioner of Mental Health or his or her designee.
- 39) To manage personal finances. The facility may manage your finances if requested in writing by you according to your directions. The facility shall provide you with an accounting of all transactions at least quarterly.
- 40) To be free from mental, verbal or physical abuse, neglect, and exploitation.
- 41) To refuse care to the extent allowed by law. This includes the right to discharge you from the facility. The facility must fully inform you of the consequences of refusing care. If you make a fully informed decision to refuse care, the facility must respect that decision and is absolved of further responsibility. If the refusal of care will result in your needs

increasing beyond what the facility is licensed to provide, or will result in the facility being in violation of regulations, the facility may issue you a thirty (30) day notice of discharge.

**B. If You Have a Problem:**

1. The State Division of Licensing and Protection licenses and regulates residential care facilities, and investigates complaints of poor care or conditions. You may direct a grievance to this division by calling (802) 241-2345 or by writing the Division of Licensing and Protection through the Department of Aging and Disabilities, 103 South Main Street, Waterbury, Vermont 05671-2306.
2. If you would like someone else outside the facility to help you resolve a problem, or speak on your behalf, you may contact the Ombudsman in your area. The Ombudsman will keep all information, even your name, confidential unless you give permission to use it.

**C. Resources:**

1. The Ombudsman may be reached at:  
Montpelier Mental Health Law Project  
1-800-265-0660.
2. Adult Protective Services  
1-800-564-1612 (abuse, neglect, or exploitation).
3. Disability Rights Vermont  
1-802-229-1355  
Or Toll-Free  
1-800-834-7890.
4. Department of Mental Health-Vermont Psychiatric Survivors  
Psychiatric Resident Advocate  
Michael Sabourin  
1-802-345-0644